

Application No.: 09/329,002

Filed: June 8, 1999

1. (Twice Amended) A multiple lumen access system for use in providing an entry port into the human body for selectively introducing medical devices therethrough and for providing auxiliary access into the body, the system including a multiple lumen access device comprising:

5 an outer tube which has a distal end for introduction into the body and a proximal end, the outer tube at a particular location along its length having a cross-sectional area which does not fully collapse during insertion into the body;

a device lumen defined within the outer tube, the device lumen having a distal end and a proximal end, wherein medical devices may be passed through the device lumen;

10 an auxiliary lumen defined within the outer tube and separately from the device lumen, the auxiliary lumen having a distal end and a proximal end;

a flexible wall located within the outer tube having a distal end and a proximal end and opposite sides, wherein one side of the wall partly defines the device lumen and the other side of the wall partly defines the auxiliary lumen, the wall being sufficiently flexible to be movable from a first position, where the device lumen at the particular location has a first cross-sectional area, to multiple flexed positions, where the device lumen at the particular location has corresponding multiple cross-sectional areas which are greater than or less than the first cross-sectional area of the device lumen.

20 60. (Twice Amended) A method for selectively introducing medical devices into a human body through a single entry port and for providing simultaneous auxiliary fluid access into the body, comprising:

providing a multiple lumen access device comprising:

25 an elongated body which has a distal end for introduction into the body and a proximal end, the elongated body having at a particular location along its length a cross-sectional area that does not fully collapse during insertion into the body;

a device lumen through which medical devices may be passed defined within the elongated body, the device lumen having a distal end and a proximal end;

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an auxiliary lumen defined within the elongated body and separately from the device lumen, the auxiliary lumen having a distal end and a proximal end; and

a flexible wall located within the elongated body having a distal end and a proximal end and opposite sides, wherein one side of the wall partly defines the device lumen and the other side of the wall partly defines the auxiliary lumen, the wall being sufficiently flexible to be movable from a first position, where the device lumen at the particular location has a first cross-sectional area, to multiple flexed positions, where the device lumen at the particular location has corresponding multiple cross-sectional areas which are greater than or less than the first cross-sectional area of the device lumen;

introducing the multiple lumen access device into the body with the distal ends of the device lumen and the auxiliary lumen being positioned within a vasculature of the human body; and

flowing a medical solution through the auxiliary lumen into the vasculature in the absence of a device in the device lumen to move the flexible wall from the first position to one of the flexed position.

#### REMARKS

In the Office Action, the Examiner again reiterates that argument as to which claims are generic has not been submitted, and thus there are no generic claims. In response, Applicants assert that claims 1, 30, and 60 are generic at least as far as the figures of elected species A. More specifically, applicants had elected species A corresponding to Figures 16-28. This particular species/claim correspondence was discussed between the Examiner and Lena Vinitskaya on December 20, 2000, and was reflected in the subsequent election dated December 21, 2000. Claims 38 and 41-59 do not read on the elected species, and have been canceled by this amendment. It should be noted that claims 39-40 do read on the elected species, but are nonetheless also canceled herewith to avoid adding to the burden of the Examiner at this stage. Previously withdrawn claims 12-16, 19, 25, 38, 40, and 71-74 depend from one of claims 1, 30, or 60, which are generic, and thus remain in a withdrawn status pending allowance of the